

**REMARKS**

By this Amendment, claims 1, 3 and 16 have been amended, claim 14 has been cancelled, and new claim 21 has been added. Accordingly, claims 1-6, 11-13, 16 and 20-21 are pending in the present application.

Applicants wish to thank the Examiner for the indication of allowable subject matter in claim 16. In response, multiple dependent claim 16 has been rewritten in independent form as claim 16 and new claim 21. Accordingly, indication of allowance of claims 16 and 21 is respectfully and earnestly solicited.

Claims 3-6 and 16 stand rejected under 35 U.S.C. § 112, second paragraph. Applicants respectfully traverse this rejection.

The Office Action states that the last line of claim 3 should read that the active device is mounted on the package substrate. This, however, is not correct. Independent claim 3 is intended to cover the subject matter shown, for example, in Figs. 4 and 5 of the present application. In each of Figs. 4 and 5, the active device is mounted on the dielectric substrate. Thus, it is respectfully submitted that independent claim 3 and dependent claims 4-6 and 16, are in full compliance with all § 112 requirements. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 1-6 and 11-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakamoto et al. (U.S. Patent 5,187,451). Applicants respectfully traverse this rejection.

Among the limitations of independent claims 1 and 3 which are neither disclosed nor suggested in the prior art of record is an oscillator which includes a dielectric substrate "having a relative permittivity of more than 20" which is mounted on a package substrate having a smaller dielectric constant. Support for this amendment can be found in the specification at page 5, lines 11-12.

Unlike the present invention, the dielectric substrate of Nakamoto et al. is specifically stated as having a dielectric constant (relative permittivity) of 20 or less. See column 7, lines 56-63. Therefore, inasmuch as Nakamoto et al. teaches that the dielectric substrate has a low dielectric constant of 20 or less, it teaches away from the present invention as defined in independent claims 1 and 3. Accordingly, it is respectfully submitted that independent claims 1 and 3 patentably distinguish over the art of record.

Claims 2, 4-6, 11-13 and 20 depend either directly or indirectly from either of claims 1 and/or 3 and include all of the limitations found therein. Each of these dependent claims include additional limitations which, in combination with the limitations of the claims from which they depend, are neither disclosed nor suggested in the prior art of record. Accordingly, claims 2, 4-6, 11-13 and 20 are likewise patentable.

The prior art made of record and not relied upon has been carefully reviewed. It is believed that these references, either alone or combined with any other references of record, do not render the pending claims unpatentable.

In addition, Applicants' filed an Art Citation on October 5, 2001, along with the present application. Applicants have yet to receive an initialed copy of the 1449 form indicating that the listed references have been considered by the Examiner. Applicants

respectfully request that the Examiner return an initialed copy of the 1449 form with the next communication on this application. A brief description of the relevance of each of the references listed in the 1449 form submitted with the filing of this application are in the Background of the Invention section of the specification. A copy of the original 1449 form is enclosed for the Examiner's convenience.

In view of the foregoing, favorable consideration of the amendments to claims 1, 3 and 16, favorable consideration of the new claim 21, and allowance of the present application with claims 1-6, 11-13, 16 and 20-21 is respectfully and earnestly solicited.

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Respectfully submitted,

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